

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALFREDO RIQUENE,

Plaintiff,

v.

UNKNOWN,

Defendant.

Case No. [24-cv-06044-VC](#)

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

Alfredo Riquene, a prisoner at Federal Correctional Institution II in Oakdale, Louisiana, filed a letter with the court seeking help with a case in the Western District of Louisiana. In an effort to protect his rights, it was filed as a new civil rights case in this court. On the same day, the Clerk sent Riquene two notices: (1) his complaint on the court's form was due within 28 days of the filing date of the Clerk's notice; and (2) his completed *in forma pauperis* (IFP) application or \$405.00 filing fee was due within 28 days of the filing date of the Clerk's notice. Both notices included blank copies of the required forms and warned Riquene if he did not submit the completed documents within the 28-day time frame, his case would be dismissed.

More than 28 days have passed, and Riquene has filed an application to proceed IFP, but no complaint. He also filed a letter asking for an attorney because he does not speak English, and stating that he "plea the 5th, 6th, and 7th United States Amendment." Because he has not filed a complaint on the court's form, the court concludes that Riquene did not intend to open a new case in this court. This case is dismissed as entered in error and no fee is due. The Clerk shall enter a separate judgment, terminate all pending motions, and close the file.

IT IS SO ORDERED.

Dated: October 28, 2024



VINCE CHHABRIA
United States District Judge